

The Kings Marke.



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# The order for Swannes both by the Statutes, and by the auncient Orders and Customes vised within the Realme of England.



I R S T, Yee shall enquire, if there be  
any person, that doth possesse any Swanne,  
and hath not compounded with the Kinges  
Maestie for his Marke (that is to say) viii  
shillinges eight pence, for his Marke, du-  
ring his life: If you know any such, you  
shall present them, that all such Swannes  
and Cignets, may be seazed for the King.

2 Also, you shall enquire, if any person  
doth possesse any Swanne, or Cignet, that may not dispense the cleare  
yearly value of thre Markes of Free-hold, except Heire apparant to  
the Crowne: then you shall present him. 22. Edward. 4.

3 Also: If any person or persons, doe drue away any Swanne,  
or Swannes, breeding, or prouiding to breed; bee it vpon his owne  
ground, or any other mans ground: hee, or they, so offending, shall  
uffer one yeares imprisonment, and fine at the Kinges pleasure, Thir-  
steene shillinges fourre pence, 11. Henry. 7.

4 If there be found any Weares vpon the Rivers, not having any  
Gates before them; It is lawfull for every Owner, Swan-maister,  
or Swan-herdes, to pull vp, or cut downe the Birth-net, or Spyne of  
the sayd Weare, or Weares.

5 If any person, or persons, be found carrying any Swans-hooke, and the same person beeing neare Swans-herd, nor accompanied with two Swans-herdes: every such person shall pay to the King, Thirteene shillinges fourre pence, (that is to say) Three shillinges fourre pence to him that will informe; and the rest to the King.

6 The ancient Custome of this Realme hath and doth allow to every Owner of such Ground where any such Swanne shall heire, to take one Land-bird; and for the same, the Kinges Maiestie must haue of him that hath the Land-bird, Twelue pence, Bee it vpon his owne Ground, or any other.

7 It is ordyned, that if any person, or persons, doe conuey away, or steale away the Egge, or Eggges, of any Swannes, and the same being duly prooved by two sufficient witnessses, that then every such feudor shall pay to the King xiiij.s. viij.d. for every Egge so taken out of the Nest of any Swanne.

8 It is ordyned, that every Owner that hath any Swannes, shall pay every yeare yearly for every Swan-marke, Fourre pence to the Maister of the Game for his Fee, and his Dinner & Supper free on the Upping dayes: And if the said Maister of the Game sayle of the Fourre pence, then he shall distraigne the Game of every such Owner, that so both sayle of payment.

9 If there be any person, or persons, that hath Swannes, that doe heire vpon any of their severall Waters, and after come to the common Riuere, they shall pay a Land-bird to the King, and be obedient to all Swanne Lawes: for divers such persons do vse collusion, to defraude the King of his right.

10 It is ordyned, that every person, having any Swannes, shall beginne yearly to marke, vpon the first of August, and no person before, but after, as conveniently may be, so that the Maister of the Kings Game, or his Deputie, be present. And if any take vpon him, or them, to marke any Swanne or Cignet, in other maner, to forfeite to the Kinges Maiestie for every Swanne so marked, Fourtie shillinges.

11 It is ordyned, that no person, or persons, being Owners, or Deputies, or Servantes to them, or other, shall goe on marking without the Maister of the Game, or his Deputie be present, with other Swans-herdes next adioyning, vpon paine to forfeite to the Kinges Maiestie, Fourtie shillinges.

12 It is ordyned, that no person shall hunt any Duckes, or any other Chase in the Water, or neare the haunt of Swannes in fence-time, with any Dogge or Spanyoles: viz. from the Feast of Easter to Lammas: upon paine for every time so found in hunting, to forfeite viij. shillinges eight pence.

13 It is ordyned, that if any person doth set any Snares, or any maner of Nettes, Lime, or Engynes, to take Dittorns or Swans, from the Feast of Easter, to the Sunday after Lammas day; Hee or they to forfeite to the Kinges Maiestie for every time so setting, viij. shillinges eight pence.

14 It is ordyned, that no person take up any Cignet unmarked, or makes any sale of them, but that the Kinges Swan-herd, or his Deputie be present, with other Swan-herdes next adioyning, or haue knowledge of the same: upon paine to forfeite to the Kinges Maiestie Fourtie shillinges.

15 It is ordyned, that the Swan-herdes of the Duchie of Lancaster shall vpe no Swanne, or make any sale of them, without the Maister of the Swannes or his Deputie be present: upon paine to forfeite to the Kinges Maiestie Fourtie shillinges.

16 And in like maner, the Kinges Swan-herd shall not enter into the Libertie of the Duchie, without the Duchies Swan-herd be there present: upon the like paine, to forfeite Fourtie shillinges.

17 It is ordyned, That if any Swannes, or Cignets, be found double marked, they shall be seazed to the Kinges vs, till it be prooued to whom the same Swannes, or Cignets doe belong: And if it cannot be prooued to whom they doe belong, that then they be seazed for the King, and his Grace to be answered to the value of them.

18 It is ordyned, that no person make sale of any White Swannes, nor make deliuerie of them, without the Maister of the Game be present, or his Deputie, with other Swan-herdes next adioyning; upon paine to forfeite Fourtie shillings: whereof, vi. s. viii. d. to him that will informe; and the rest, to the Kinges Maiestie.

19 It is ordyned, That no person shall lay Leapes, set any Nettes, or Dragge, within the common Creeames or Rivers vpon the day time, from the Feast of the Inuention of the Crosse, vnto the Feast of Lammas: upon paine so oft as they be found so offending, to forfeite Twentie shillinges.

20 It is ordyned, That if the Maister of the Swannes, or his Deputie, doe seaze, or take up any Swannes, as strayes, for the Kinges Maestie, that hee shall keepe them in a poute within 20. foote of the Kinges Streame, or within 20. foote of the Common High-way, that the Kinges subiectes may haue a sight of the sayd Swannes so seazed, vpon paine of Fourtie shillinges.

21 It is ordyned, That if any person doe raze out, counterfeite, or alter the Marke of any Swanne, to the hindering or losse of any mans Game, and any such offendour delyuered before the Kinges Maesties Commissioners of Swannes, shall suffer one yeares Imprisoment, and pay iii.l. vi.s. viii.d. to the King.

22 It is ordyned, That the Commons (that is to say) Dinner and Supper, shall not exceed aboue xii.d. a man at the most: If there be any Game found where the Dinner or Supper is holden, vpon that River, the Owner being absent, and none there for him, the Maister of the Game is to lay out viii. d. for him, and he is to distraigne the Game of him that sayleth the payment of it.

23 It is ordyned, That there shall be no forseiture of any White Swanne, or Cignet, but onely to the Kinges Grace, aswell within the Franchise and Liberties, as without. And if any doe deliuere the Swanne, or Cignet so seazed, to any person, but onely to the Maister of the Kinges Game, or to his Deputie, to the Kinges use; There is to forfeite vi.s. viii.d. and the Swanne to be restored vnto the Maister of the Game.

24 It is ordyned, That no person shall take any Gray Swannes or Cignets, or White Swannes flying, but that he shall within fourte dayes next after, deliuere it, or them, to the Maister of the Kings Game, and the Taker to haue for his paines viii.d. And if hee sayle, and bring him not, he forfeites xi.s. to the King.

25 It is ordyned, That no person, having any Game of his owne, shall be Swan-herd for himselfe, nor keeper of any other mans Swannes: vpon paine to forfeite to the Kinges Maestie, Fourtie shillinges.

26 It is ordyned, That no Swan-herd, Fisher, or Fowler, shall bexe any other Swan-herd, Fisher, or Fowler, by way of Action, but onely before the Kinges Maesties Justices of Hessions of Swannes: vpon paine of forseyting to the Kinges Grace, Fourtie shillinges.

27 The Spawster of the Kinges Game, shall not take away any dñe  
marked Swanne coupled with any other mans Swanne, for breaking  
of the Blood: and when they doe Heirle, the one part of the Cignets  
to the King, and the other to the Owner of the marked Swanne.

28 Also, any man whatsoeuer he be, that killeth any Swanne  
with Dogge, or Spannyles, shall forfeite to the King, Fourtie shil-  
lings; the Owner of the Dogge to pay it, whether he be there, or no.  
Also, the Spawster of the Swannes, is to haue for every White Swanne  
and Gray vyping, a Pennie: and for eury Cignet, ii. d.

29 It is ordyned, That if any Heirle be leyed with one Swanne,  
the Swanne and the Cignets shall be seazed for the King, till due  
payolle be had whose they are, and whose was the Swanne, that is a-  
way; Be it Cobbe or Penne.

30 Lastly, If there be any other Misdemeanour, or Offence com-  
mitted or done by any Owner of any Game, Swan-herd, or other per-  
son whatsoeuer, contrary to any Law, auncient Custome, or usage here-  
tofore vsed and allowed, and not before herein particularly mentioned  
or expressed, you shall present the same Offence, that resormation may  
be haue, and the Offendor punisched, according to the quantitie and qua-  
lity of the severall Offences.

FINIS.

God sauе the King.

Collated  
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